

REMARKS

Applicant submits this Amendment After Final in reply to the Final Office Action dated September 8, 2003 and Advisory Action dated January 7, 2004. As an initial matter, Applicant gratefully acknowledges the Examiner's indication of the allowance of claim 3, and the allowability of the subject matter of claim 7. Applicant has rewritten claim 7 into independent form, and amended claims 4 and 8 to depend from claims 3 and 7, respectively. Accordingly, Applicant respectfully asserts that claims 3-4 and 7-8 are now in *prima facie* condition for allowance. Applicant has also cancelled claims 1-2 and 5-6 without prejudice or disclaimer. Accordingly, Applicant reserves the right to pursue the subject matter of those claims in a continuation application.

In rewriting claim 7 into independent form in this Amendment After Final, and previously rewriting claim 3 into independent form in the Amendment filed on June 19, 2003, it should be understood that the rewriting of claims 3 and 7 into independent form is not an admission by the Applicant that the claims from which they previously depended were unpatentable over the cited references. To the contrary, Applicant set forth several arguments in the Amendment dated June 19, 2003 and Amendment After Final dated November 26, 2003 as to why independent claims 1 and 5 were patentable over the cited references. Nevertheless, solely in the interests of expediting the prosecution of this application, Applicant has rewritten claim 7 into independent form in this Amendment After Final, and has previously rewritten claim 3 into independent form in the Amendment filed on June 19, 2003. Accordingly, Applicant respectfully requests allowance of pending claims 3-4 and 7-8.

Before entry of this Amendment, claims 1-8 were pending in this application.

After entry of this Amendment, claims 3-4 and 7-8 are still pending in this application.

The originally-filed specification, claims, abstract, and drawings fully support the subject matter of amended claims 4, 7, and 8. No new matter was introduced.

In the Final Office Action, the Examiner rejected claims 1, 2, 5, and 6 under 35 U.S.C. §103(a) as being unpatentable over Sonobe et al. (U.S. Patent No. 5,954,537) ("Sonobe"), and rejected claims 4 and 8 as being unpatentable over Sonobe in view of Belanger, Jr. et al. (U.S. Patent No. 5,885,091) ("Belanger"). Applicant have cancelled claims 1-2 and 5-6, without prejudice or disclaimer, and amended claims 4 and 8 to depend from claims 3 and 7, respectively, rendering the rejections moot.

Applicant further submits that claims 4 and 8 depend from one of independent claims 3 and 7, and are therefore allowable for at least the same reasons that each of those respective independent claims is allowable. In addition, at least some of the dependent claims recite unique combinations that are neither taught nor suggested by Sonobe, Belanger, or the cited art, and therefore at least some also are separately patentable.

Applicant respectfully requests that this Amendment After Final under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 3-4 and 7-8 in condition for allowance. Applicant submits that the proposed amendments of claims 4, 7, and 8 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment After Final should allow for immediate action by the Examiner.

Furthermore, Applicant respectfully points out that the Final Office Action and Advisory Action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment After Final would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of the Amendment After Final would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The Final Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Final Office Action.

In discussing the specification, claims, abstract, and drawings in this Amendment After Final, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

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Please grant any extensions of time required to enter this response and charge
any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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